

SECRET NOFORN

9 July 1980

MEMORANDUM FOR: Special Assistant to the DCI for Compartmentation

FROM: Director of Central Intelligence

SUBJECT: Conversation with Warren Christopher, Deputy Secretary
of State, 8 July 1980

1. I explained my position on the APEX non-disclosure agreement pretty much as per the talking points you prepared. The key point in the presentation was that OGC interprets the present Form 4066 (Non-disclosure Agreement Sensitive Compartmented Information) as supporting a Snepp-type action against the signer. The DepSecState wanted to check this with his lawyers. He had not understood that there was this close a similarity between the existing agreements State Department employees sign and those which we do. (It is not clear to me whether by a "Snepp-type action" we mean that we could prosecute under Form 4066 when an employee publishes without prior clearance or whether we can prosecute when an employee discloses sensitive compartmented information through publication.) (S/NF)

2. The DepSecState's overall objection is simply that when an individual comes into the intelligence profession he recognizes the inhibitions that go with it. In contrast, many of the individuals who come into the State Department are academic and other types who very naturally will publish in the future course of their lives. I pointed out to him that we were asking for a more narrow non-disclosure agreement here than was applied to the intelligence professionals in the CIA. (S/NF)

3. The DepSecState wanted to check with his lawyers on our interpretation of the implications of Form 4066. He also wanted to check with Muskie on the morale impact on the State Department (assuming that this is not truly an extension of 4066). Hold the implementing directive until I hear further from him. (S/NF)


STANSFIELD TURNER

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cc: DDCI
General Counsel

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